

Clouty, J

ORIGINAL

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VENUS SHIPPING LTD.,

Plaintiff,

- against -

07 Civ. 6105 (Proc)

ASTON AGRO-INDUSTRIAL A.G.,

Defendant.

**EX PARTE ORDER FOR PROCESS
OF MARITIME ATTACHMENT**

WHEREAS, on June 28, 2007, plaintiff, VENUS SHIPPING LTD., filed a Verified Complaint herein for damages amounting to \$ 27,847.92, inclusive of interest, costs and reasonable attorney's fees, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure, and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of defendant's tangible and intangible property within the District of this Court, and

WHEREAS, the Court has reviewed the Verified Complaint and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

ORDERED, that Process of Maritime Attachment and Garnishment shall issue against all goods and chattels, and if such property cannot be found, against other tangible or intangible property, credit and effects, claimed by or being held for the defendant by any garnishees within this District, including but not limited to, garnishees identified in Attachment A and/or any other garnishee(s) on whom a copy of the *Ex Parte* Order for Process of Attachment and Garnishment is served in an amount up to and including \$ 27,847.92 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and Section 8 of the United States Arbitration Act, 9 USC §8; and it is further

ORDERED that the Process of Maritime Attachment and Garnishment may be served by any individual over 18 years old who is not a party in the case; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing the Court's *Ex-Parte* Order for Process of Maritime Attachment and Garnishment may be issued by the Clerk upon application of the

plaintiff without further Order of the Court; and it is further

ORDERED that a copy of this *Ex-Parte* Order be attached to and served with said Process of Maritime Attachment and Garnishment; and it is further

ORDERED that following initial service upon any garnishee by the United States Marshal or any other person designated by Order to make service in this action, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

ORDERED service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made commencing from the time of such service through the opening of the garnishee's business the next business day.

Dated: New York, New York
June 28, 2007

SO ORDERED:


U.S.D.J.